

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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MARTIN JONATHAN BATALLA VIDAL and
MAKE THE ROAD NEW YORK,

Plaintiffs,

ORDER

-against-

16-CV-4756 (NGG) (JO)

KATHY A. BARAN, KELVIN MEDLOCK,
SUSAN M. CURDA, DONALD W. NEUFELD,
and LEON RODRIGUEZ,

Defendants.

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NICHOLAS G. GARAUFIS, United States District Judge.

In light of the timeline announced by the Government for ending the Deferred Action for Childhood Arrivals (“DACA”) program,¹ the court intends to consider promptly Plaintiffs’ anticipated motion to amend their complaint. (Dkt. 46) To that end, Plaintiffs are DIRECTED to file, by no later than Monday, September 11, 2017, either their proposed second amended complaint or a letter (1) identifying all claims Plaintiffs wish to assert in a second amended complaint, specifically including any claims for which Plaintiffs intend to seek class treatment; (2) describing the interests in this case of any additional parties Plaintiffs wish to add as plaintiffs in a second amended complaint; and (3) identifying any additional parties Plaintiffs wish to name as defendants in a second amended complaint and explaining why Plaintiffs intend to name such parties as defendants.

¹ Memorandum from Elaine C. Duke, Acting Sec’y, Dep’t of Homeland Sec., to James W. McCament, Acting Dir., U.S. Citizenship and Immigration Servs. et al., Rescission of the June 15, 2012, Memorandum Entitled “Exercising Prosecutorial Discretion with Respect to Individuals Who Came to the United States as Children” (Sept. 5, 2017), available at <https://www.dhs.gov/news/2017/09/05/memorandum-rescission-daca>.

The Government is DIRECTED to file, by no later than Wednesday, September 13, 2017, a letter stating, with as much specificity as possible, its position on Plaintiffs' proposal to amend their complaint.

The parties should be prepared to discuss these filings at the pre-motion conference currently scheduled for September 14, 2017, at 2:30 p.m.

SO ORDERED.

Dated: Brooklyn, New York
September 7, 2017

/s/ Nicholas G. Garaufis
NICHOLAS G. GARAUFIS
United States District Judge